

W-02500A-06-0281

ORIGINAL



0000064315

ARIZONA CORPORATION COMMISSION

UTILITY COMPLAINT FORM

4700

Investigator: Trish Meeter

Phone: [REDACTED]

Fax: [REDACTED]

Priority: Respond Within Five Days

Opinion No. 2006 - 56840

Date: 11/30/2006

Complaint Description: 08A Rate Case Items - Opposed
08C Rate Case Items - Intervention

First:

Last:

Complaint By: Patricia

Frederich

Account Name: [REDACTED]

Home: [REDACTED]

Street: [REDACTED]

Work:

City: [REDACTED]

CBR:

State:

AZ

Zip: [REDACTED]

is:

Utility Company: Goodman Water Company

Division:

Water

Contact Name: [REDACTED]

Contact Phone: [REDACTED]

Nature of Complaint:

11/29/06 CORRESPONDENCE- DOCKET No.W-02500A-06-0281
November 21, 2006

Arizona Corporation Commission
400 West Congress, Room 222
Tucson, AZ 857

1200 West Washington Street
Customer Service
Phoenix, AZ 85007

Tom Williams, D.R. Horton

Lewis Management Resource
Eagle Crest HOA

Christopher Hill, Goodman Water Co.

Lewis and Roca

One South Church Aye, #700
Tucson, AZ 85701-1611

RE: Public Notice of Hearing on the Rate Application of Goodman Water
Company -- Docket No. W-02500A-06-0281

To Whom It May Concern:

RECEIVED
2006 DEC - 6 P 4: 22
AZ CORP COMMISSION
DOCUMENT CONTROL

Arizona Corporation Commission

DOCKETED

DEC - 6 2006

DOCKETED BY

[Signature]

On Thursday, November 16, 2006 a letter was mailed to residences of Eagle Crest Homeowners from the law firm of Lewis and Roca (See enclosed copy of envelop date stamped). Homeowners did not receive the letter in their home mailboxes until Saturday, November 18, 2006. Some people, who pick up their mail through the post office, did not receive their letters until Monday the 20th. This, during a holiday week when many people are away for the holidays.
In the Notice of Public Hearing, the Hearing Date is set as of January 24, 2007. Also in the letter is the date of

ARIZONA CORPORATION COMMISSION

UTILITY COMPLAINT FORM

"November 22, 2007" set as the deadline for motion to intervene (copy of notice enclosed). This discrepancy of date is of great confusion to most people reading the notice received from Lewis and Roca LLP Lawyers, as it appears the intervention date is after the hearing date.

On November 21, 2006, I called the Arizona Commission Office and spoke with Bradly Morton who checked the records and advised that the correct date for the intervention requirements is November 22, 2006. As a result I spoke with Rochelle at the 800 222-7000, who referred me to [REDACTED] Tina (Hearing Dept.) to obtain information. Tina advised that the date being wrong would not eliminate and would allow late letters of intervention as long as it indicated the error of date and late mailing in my letter to the commission. The following is a request for intervention and filing of written comments regarding the application.

On November-21-06 at 1 654hrs I received return call from Chris W. Hill (Manager of Goodman Water) he advised he did not know the Intervention date was wrong in the notice sent by Lewis and Roca and that someone had

"dropped the ball" and that apparently another notice would have to go out, again with the correction.

I, Patricia Friedrich, [REDACTED] am a customer of Goodman Water Company. I don't believe that Goodman Water Company is entitled to raise their rates 1% let alone 168.25% for many reasons, but specifically one as follows. They have made no attempt to regulate the wasteful use of water from their company. Evidence of this fact is as follows and is documented in the Superior Court Trial Records of Pima County, based on a personal action.

In October of 2004 a neighbor commenced flooding and watering of not only his yard, but also both neighbors to either side of him and the street with continual run off into the water retention basin. (Photos evidencing this egregious waste of water was presented and entered into evidence in court.) The watering, anywhere from 6 to 12 hours daily, continued on almost a daily basis for two years resulting initially in May of 2006, a court ordered Temporary Injunction against the neighbor; and with clear disregard of court orders, a continuance of watering resulting in a Permanent Injunction being issued against the same neighbor, ordered by the Superior Court on November 20, 2006.

Also in evidence of this matter, several phone calls were made to Goodman Water in Suahrita regarding this problem. I was advised by office personnel that there was nothing they could do about the misuse and abuse of prized Arizona water. I was also advised that the Arizona Corporation Commission regulated water use and that their water company was too small to regulate.

Just after hiring an attorney to find remedy through the civil courts on July 12, 2005, I again contacted the AZ. Corp. Commission leaving a message with Reggie Lopez to contact me regarding this issue in an attempt to obtain help with the water issue. This again led to the information that no one could help us nor were there regulations against the waste of water to assist us.

I was advised if I lived within the City Limits of Tucson, I could obtain help through statute, but sadly I do not. I was advised that I would have to go through the Board of Supervisors in Pinal County to seek an ordinance against water waste.

For the normal citizen who uses water with respect, and a modicum of common sense, the raising of water rates, especially when people have been injured by the misuse and waste of water, to penalize the citizens of our communities for the lack of action on part of the company to cut cost by reasonable management, is tantamount to criminal. Most of the people in Eagle Crest are retired and on a fixed incomes. Many of the residents of Celebration are young couples with children and on budgets.

The water issue, where I received no help from Goodman Water, has cost me personally many thousands of dollars I do not have. I know that even though others have not been financially impacted to date, that they stand with me against even entertaining the outrageous rate increase for Goodman Water. I think that the company should be held accountable, or if the regulations need to be reviewed and changed by the Arizona Corporations Commission, that should be accomplished and alternative methods be employed before passing a ridiculous cost of 186.25% increase onto the customers.

ARIZONA CORPORATION COMMISSION

UTILITY COMPLAINT FORM

As stipulated in the notice, I request that further information be sent to me regarding this proceeding.

Sincerely,

Patricia Friedrich

PVBUC

Docket No. W4250&4-064281

On April 26, 2006, Goodman Water Company ("Goodman" or "Company")

I filed an application with the Arizona Corporation Commission for an approximate 152 percent increase in revenue

(\$324,607). Under the Company's proposal the typical residential customer, using an average of 5,513 gallons per month, would experience a monthly increase of \$46.97, or 168.25 percent.

The Commission's Utilities Division Staff has not yet made a recommendation regarding the Company's rate increase proposal, and the Commission will determine the appropriate rate relief to be granted based on the evidence of record in this proceeding. The Commission is not bound by the proposals made by the Company, Staff, or any intervenors and, therefore, the final rates approved in this docket may be lower or higher than the rates described above. Copies of the application and proposed tariffs are available at the Company's offices at 6340 North Campbell Avenue, Suite 278, Tucson, Arizona, and on the internet via the Commission website (www.azcc.gov) using the e-docket function.

The Commission will hold a hearing on this matter beginning January 24, 2007, at 10:00 a.m., at the Commission's offices, Room 222, 400 West Congress, Tucson, Arizona. Public comments will be taken on the first day of the hearing.

The law provides for an open public hearing at which, under appropriate circumstances, interested parties may intervene. Intervention shall be permitted to any person entitled by law to intervene and having a direct and substantial interest in the matter. Persons desiring to intervene must file a written motion to intervene with the Commission no later than November 22, 2007. The motion to intervene must be sent to the Company or its counsel and to all parties of record,

End of Complaint

Utilities' Response:

Investigator's Comments and Disposition:

12/01/06 Response to customer as follows: E-mailed opinion to utility
December 1, 2006

RE: GOODMAN WATER COMPANY

Dear Ms. Frederick,

Your letter regarding the Goodman Water Company ("GWC") rate case will be placed on file with the Docket Control Center of the Arizona Corporation Commission ("Commission") to be made part of the record. The Commission will consider your comments before a decision is rendered in the GWC application.

The concerns raised in letters received from customers will assist the Commission in the investigation and review of the rate application. The Commission's independent analysis of the utility and its rate request attempts to balance the interest of the utility and its customers.

Commission Staff is very sensitive to the burden that high utility rates can place on the consumer, and though constitutionally required to allow a fair return to the utility, does everything within its authority to protect the consumer.

ARIZONA CORPORATION COMMISSION

UTILITY COMPLAINT FORM

Information can be found on the Arizona Corporation Commission website at www.cc.state.az.us/ for the process of filing a Motion to Intervene. Should you have any questions about this process you can contact Docket Control at 800-222-7000.

Staff appreciates your comments and the interest taken on the proposed rate increase. If you should have any questions relating to this issue, please call me toll free at (800) 222-7000.

Sincerely,

Trish Meeter

Consumer Service Specialist

Utilities Division

End of Comments

Date Completed: 12/1/2006

Opinion No. 2006 - 56840
